

FW: Global News re: Crown prerogative to use military at home

From: "Kim SF@MND@Ottawa-Hull" <sabrina.kim@forces.gc.ca>
To: "Minden DM@MND@Ottawa-Hull" <daniel.minden@forces.gc.ca>
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Date: Wed, 02 Feb 2022 14:38:06 +0000

From: Taylor, David [mailto:David.Taylor@justice.gc.ca]
Sent: February 2, 2022 9:15 AM
To: Kim SF@MND@Ottawa-Hull <SABRINA.KIM@forces.gc.ca>
Subject: FW: Global News re: Crown prerogative to use military at home

Good morning, my friend:

I sent **Personal** your way. The NDA is your baby, and we wouldn't talk about Cabinet stuff or anything that is privileged legally. I suggested she reach out to academics who are familiar with the Oka deployment.

DT

From: **Personal Info.**
Sent: February-02-22 8:26 AM
To: Taylor, David <David.Taylor@justice.gc.ca>
Subject: Global News re: Crown prerogative to use military at home

Good morning David,

Hope you're hanging in there.

I'm looking into what powers the federal government has to deploy the military on domestic soil beyond simple readiness and disaster support operations. As part of this, I see the following section in the National Defence Act.

- 273.6 (1) *Subject to subsection (2), the Governor in Council or the Minister may authorize the Canadian Forces to perform any duty involving public service.*

I know that the NDA falls under Minister Anand's authorities. However, I am looking specifically to understand whether Minister Lametti has requested an assessment of any kind to understand whether the limitations on the Crown prerogatives for war and peace, and defence and the military, would permit the deployment of Canadian Forces personnel on domestic soil in the event municipal law enforcement had determined the risks of enforcing the rule of law to be too great a risk to their officers' safety.

Does Minister Lametti have any powers to advise or determine that doing so would be compliant with the powers of the Governor-in-Council? Could the Canadian military legally step up as a support mechanism, deployed for example with police units as a protective force to allow them to enforce the laws against hostile domestic actors?

Deadline is 3:30.

Thanks,

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